

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7120 OF 2023

Bajrang Dwarkadas Lohiya

Petitioner

Versus

Ankush P Bababhau Kavde And Others

Respondents

Mr. S.S. Kulkarni, Advocate for the petitioner.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 3rd JULY, 2023

ORDER :

1. Petitioner/plaintiff is aggrieved by the order passed by 3rd Joint Civil Judge, Junior Division, Majalgaon, below Exhibit-30 in Regular Civil Suit No. 17/2022, thereby rejecting the application filed by the plaintiff for appointment of Court Commissioner.

2. Admittedly, the application for appointment of Court Commissioner was moved by the plaintiff at a preliminary stage. This Court has consistently taken a view that appointment of Court Commissioner should not be made at preliminary stage and such application can be considered after recording of evidence of the parties is concluded. In that view of the matter,

no fault can be found with the order impugned in the present petition. The writ petition is therefore dismissed with liberty to the parties to file application for appointment of Court Commissioner after evidence of the parties is concluded.

[NITIN B. SURYAWANSHI, J.]